

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BONNIE SUE SALERNO, a/k/a
BONNIE SUE SMITH,

Plaintiff,

v.

AMERICAN EDUCATION SERVICES,

Defendant.

3:13-CV-01549
(JUDGE MARIANI)

FILED
SCRANTON

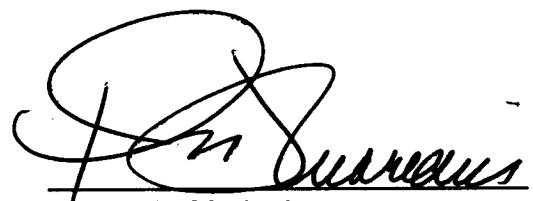
NOV - 5 2013

PER m
DEPUTY CLERK

ORDER

AND NOW, THIS 4TH DAY OF NOVEMBER, 2013, upon review of Magistrate Judge Carlson's Report and Recommendation ("R&R") (Doc. 10) for clear error and manifest injustice, Plaintiff's Complaint (Doc. 1), Defendant's Motion to Dismiss the Complaint (Doc. 4), and all other pertinent filings (Docs. 5, 8, 9), and in light of Plaintiff's failure to object to the R&R, IT IS HEREBY ORDERED THAT:

1. The Report and Recommendation (Doc. 10) is **ADOPTED**.
2. Defendant's Motion to Dismiss (Doc. 4) is **GRANTED IN PART**.
3. The Complaint (Doc. 1) is **DISMISSED WITHOUT PREJUDICE**, for the reasons discussed in the R&R.
4. Plaintiff shall have **TWENTY-ONE (21) DAYS** from the date of this Order to submit an Amended Complaint correcting the defects cited in the R&R.



Robert D. Mariani
United States District Judge